



Student Behavior Guidance for SY21-22

Supporting Positive Student Behavior in our Learning Environment

DCPS strives to create an environment where every student is given the opportunities and supports that they need to thrive. As a part of this commitment, DCPS works to create a learning environment that supports the whole child and ensures that every student has access to joyful and rigorous academic experiences. We support the development of social emotional competencies to enhance success. All schools will continue to address student discipline with fidelity aligned to DCMR Chapter 25 and the Student Fair Access to Schools Act (SFASA). Research tells us that, students most positively respond to expectations when they have strong relationships with adults in their schools, especially their teacher(s).

While DCPS implements systems for learning, supporting students through a trauma-responsive lens will be key. Examples of how teachers will support a trauma-responsive learning environment during learning include teachers using positive and affirming language daily; providing resources to support self-management; dedicating time to build relational trust; and teaching, modeling, and reinforcing school-wide behavior expectations.

What are examples of interventions and supports that will be used to address student behaviors?

Behavior Description	Interventions and Supports
Behavior that disrupts the learning environment	In the event of behavior that disrupts a learning environment, such as academic dishonesty, inappropriate language or gestures, a teacher may verbally redirect the student, meet to discuss the disruptive behavior with the student individually, consult with the student's parents or guardians, support the student in reflection, or design an accountability plan.
Behavior that attempts or threatens to cause harm	In the event of behavior that attempts or threatens to cause harm, such as bullying, cyberbullying (social media), display of weapons (real or replica), engaging in sexual behavior, gang affiliation or activity, posting of pornographic material, unauthorized use of school equipment, or use of, selling, or distributing drug(s) or paraphernalia the teacher may meet to discuss the disruptive behavior with the student individually, consult with the student's parents or guardians, design an accountability plan, or create an individualized safety plan.

Note: If a student has a disability, your school team may consult with the special education case manager or the 504 coordinator.

During COVID-19, I have concerns about personal protective equipment, such as masks. What are example consequences for students who do not adhere to rules about personal protective equipment?

District of Columbia Public Schools (DCPS) will follow guidance from DC Health, the Office of the State Superintendent of Education (OSSE), and the Centers for Disease Control and Prevention (CDC) to

ensure the safety of all school stakeholders. It is the intention of the District to require mask wearing for both students and staff, unless unique circumstances apply, as outlined by DC Health and OSSE guidelines. The steps below are intended to promote adherence to the requirement to wear masks and how schools should address challenges in this area, with developmental considerations.

Occurrence	Primary (PreK – 2 nd)	Elementary (3 rd – 5 th)	Secondary (6 th -12 th)
1	Students will receive a verbal redirection to comply with COVID-19 safety protocols (i.e. wearing masks, social distance and physical touch)	Students will receive a verbal redirection reinforcing safety guidelines.	Students will receive verbal redirection reinforcing safety etiquette and best practices.
2	Students will watch a COVID-19 awareness cartoon , to reinforce safety expectation. Teacher will conduct 1-to-1 modeling and have a discussion with student. Teacher will notify parent.	Students will be assigned a COVID-19 safety worksheet to understand why they should practice social distancing. Teacher will conduct 1-to-1 modeling and have a discussion with student. Teacher will notify parent.	Student will be assigned to read the article “ <i>Why outbreaks like coronavirus spread exponentially, and how to “flatten the curve”</i> ”. Then, students will respond to the article with a solution on to promote safety while at school. Student will discuss the article with a teacher or other adult staff person.
3	Principal or designee will contact parent. Teacher will continue to conduct 1-to-1 modeling and have a discussion with student.	Principal or designee will contact parent. Students will watch a COVID-19 awareness video , to reinforce safety expectations and participate in a discussion about how to prevent the spread of COVID-19.	Students will watch one of the following COVID-19 teen survival video , or World Health Organization safety guidelines video. Students will discuss implications of behavior with an adult staff person and parent in meeting.
4	Principal will contact parent.	Principal will review DCPS/CDC health guidelines with student and parent. Parent will be encouraged to watch a how to discuss COVID-19 with child or teen video .	Principal will hold a conference with the student and parent and will encourage families to view COVID-19 Safety tips video . Student will be placed on a behavior contract.

What are examples of behaviors, interventions and supports?

To the greatest extent possible, schools should use age-appropriate, instructive, and restorative interventions and supports that address behaviors that are disruptive to the learning environment, but do not result in a significant loss of learning time. However, a student's behavior may necessitate removing the student from their class(es) for a limited amount of time. A suspension is defined as the removal of a student from their regularly scheduled academic program due to a disciplinary infraction.

Students may be assigned to out-of-school depending on the behavior. Once a student has served the suspension, the student can return to class. DCPS cannot require parents/guardians to attend a conference before a student may return from a suspension.

Out-of-School Suspensions

Students may receive an out-of-school suspension from one (1) to five (5) days in grades K-5, and one (1) to ten (10) days in grades 6-12. When serving an out-of-school suspension the student may not:

- Enter the school building or be on school property, or
- Engage in school-sponsored events or extracurricular activities.

For any student serving an out-of-school suspension, school staff will:

- Document the suspension in the official DCPS system of record (Student Behavior Tracker),
- Record the student's absence from class for out-of-school suspension as excused,
- Provide academic materials for students to complete while on suspension, and
- Ensure the student can make up quizzes, special projects, or finals upon return to school.

Are there limits to when my child in K-8 may receive an out-of-school suspension?

Yes. Beginning in the 2020-21 school year, students in grades K-8 cannot receive an out-of-school suspension unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds.

Are there limits to when my child in grades 9-12 may receive an out-of-school suspension?

Yes. Beginning in the 2020-21 school year, no student in grades 9 through 12, except a student over 18 years of age at a school where more than ½ of the students are over 18 years of age, may be subject to an out-of-school suspension or disciplinary unenrollment for:

- Violating DCPS or school dress code or uniform rules;
- Willful defiance; or
- Behavior that happens off school grounds and not as part of a school-sponsored activity, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.

Are there limits to the number of out-of-school suspension days my child can receive?

Yes. There are restrictions on the number of consecutive and cumulative days that students can receive for out-of-school suspension in alignment with the Student Fair Access to School Amendment Act of 2018:

- Students in grades K-5 cannot receive an out-of-school suspension for a single discipline incident that exceeds five (5) consecutive days.*
- Students in grades 6-12 cannot receive an out-of-school suspension for a single discipline incident that exceeds ten (10) consecutive days.*

- Students in grades K-12 cannot receive more than twenty (20) cumulative days of out-of-school suspension, unless the Chancellor provides a written justification to the student and parent/guardian describing why exceeding the 20-day limit is a more appropriate disciplinary action than alternative responses; or the student's conduct necessitated an emergency removal, and the Chancellor provides a written justification for the emergency removal to the student and parent/guardian.*

**Note: The exception to the above requirements is if a student violates the Gun-Free Schools Act. This federal law requires all schools to expel a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, from attending school for a period of not less than one year. The Chancellor can modify the expulsion requirement.*

What are my child's rights in the suspension process?

Under the law, you and your child have the right to **due process**. This means that you have the right to learn about the reasons for the proposed removal and, in the case of a suspension of six (6) days or more, to have information related to the reasons for the proposed removal reviewed by an independent third party. Students with qualifying disabilities have additional due process rights, as outlined below.

Due Process Rights for Students in General Education:

Below are the steps that must be followed for a student to be formally suspended in DCPS. When a student receives a suspension, schools must:

- **Provide the student with an opportunity to have an administrative conference:** A principal or their designee must hold a conference with the student before imposing a suspension, except when an emergency situation exists (see below), in which case the conference will be held no more than three (3) school days after the suspension is initiated.
- **Review the incident and decide on the appropriate disciplinary response.**
- **Document all information related to the suspension.**
- **Send notification of proposed disciplinary action to the parent/guardian:** Parents/guardians can be contacted by phone to notify them of a proposed suspension. Within 24 hours of any suspension, written notification must be sent by certified mail or hand delivered to a parent/guardian. Written notification must be provided in the form of an official DCPS suspension notification letter.
- **Create an educational plan:** For suspensions of more than two (2) days, students are entitled to an educational plan and work packet that is aligned to the instruction that they will miss during the suspension.
- **Hearings:** A student who has been suspended for six (6) days or more or who has been expelled is entitled to have a disciplinary hearing held by an independent hearing officer.

Emergency Condition Suspensions

A student may be removed immediately from their normal instructional day, prior to all aspects of "due process" being completed, if they are contributing to an emergency situation in the school. For an emergency removal of a general education student, the school must prove that the student creates a serious threat to the school community. For a student with (or who is being evaluated for) an IEP or a 504 Plan, the student's behavior must meet at least one of the following criteria:

- The student carries a weapon to school or to a school function;
- The student knowingly possesses or uses illegal drugs or solicits the sale of a controlled substance while at school or at a school function; or

- The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of DCPS.

Due Process Rights for Students with Disabilities who have an Individualized Education Program (IEP) or 504 Plan

DCPS staff, a parent/guardian, and relevant members of the child's IEP team should review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or if the conduct in question was the direct result of DCPS's failure to implement the IEP. If a decision is made that there is a deficiency in service, DCPS will take immediate steps to remedy those deficiencies. For more information on procedural safeguards in place for students with disabilities, please see <https://dcps.dc.gov/specialeducation>.

I have concerns about my child's suspension. Where can I find out more information and how can I appeal a suspension for my child?

The policies for DCPS discipline are based on both the Student Fair Access to School Amendment Act of 2018 and DC Municipal Regulations under Chapter 25. Parents/guardians have the right to appeal any suspension. During the appeal, the student and/or parent/guardian may present evidence and ask witnesses to speak. Appeal requests can be made orally or in writing.

- For suspensions of one (1) to three (3) days for students in grades K-5 or one (1) to five (5) days for students in grades 6-12, the appeal is heard by the principal and must be made within two (2) days of receiving notification of the suspension.
- For suspensions of four (4) to five (5) days for students in grades K-5, the appeal is heard by the Instructional Superintendent.
- For suspensions of six (6) to ten (10) days for students in grades 6-12, parents/guardians are initially entitled to a hearing before an independent hearing officer. If a parent/guardian wishes to appeal a suspension that is imposed following a hearing, the appeal is heard by a designee of the Chancellor and must be made by the parent/guardian within five (5) days of receiving notification of the final suspension decision.

In all cases, if a student or parent/guardian has concerns, they may contact the Office of Integrity which supports all DCPS stakeholders in ensuring a speedy resolution process in promoting fair and equitable practices for students and families. In addition to the above written processes, it is important to note that concerns can be made over the phone to the Office of Integrity. Please reach out to (202) 939-4913 or DCPS.cio@k12.dc.gov for support.